

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

BAY AREA PAINTERS FUND AND TAPERS  
PENSION TRUST FUND, et al.,

No. C-11-1735 CW (DMR)

Plaintiffs,

**ORDER REQUESTING  
SUPPLEMENTAL INFORMATION AND  
SCHEDULING HEARING DATE ON  
MOTION FOR DEFAULT JUDGMENT**

v.

MASTERPIECE PAINTING, INC. a California  
Corporation; TERRENCE ALFONSO  
JOHNSON, Individually and *dba*  
MASTERPIECE PAINTING,

Defendants.

Notice is hereby given that the hearing on Plaintiffs' Motion for Default Judgment is set on **July 28, 2011 at 11:00 a.m** in Courtroom 4, 3rd Floor, U.S. District Court, 1301 Clay Street, Oakland, California 94612. Further, having reviewed Plaintiffs' Motion for Default Judgment (Docket No. 16), the court hereby orders Plaintiffs to submit the following supplemental evidence and information in support of their motion, **by no later than July 21, 2011:**

(1) The Williams Declaration stated that Defendant owed \$6,179.36 for November 2010 with a balance of \$3,106.24. (Docket No. 17, ¶ 15.) Plaintiffs request \$128.67 in interest for the November contributions. To support the interest amount requested, Plaintiffs must clarify

the basis for their calculation, because as presented, the amount sought does not conform to the balance of \$3,106.24 under the stated interest rate.

(2) The Trust Agreement states that the Board may set a reasonable interest rate, but Plaintiffs submitted no evidence establishing an interest rate of 5% per annum. The Court requests Plaintiffs submit evidence confirming that the Board has set the rate at 5% per annum, and further, the period at which the rate compounds, if at all.

(3) Additionally, the Court requests that Plaintiffs demonstrate the manner in which interest rates are calculated with the provided rate. For each contribution requested, Plaintiffs should identify the principal and the number of periods over which the amount compounds, if at all.

**Immediately upon receipt of this Order, Plaintiffs shall serve a copy of this Order on Defendants and shall e-file a proof of service on the same day that service is effected. At the same time Plaintiffs' supplemental information as ordered herein is submitted to the court, Plaintiffs shall service Defendants with a copy of the supplemental information and file a proof of service with the court.** Service by Plaintiffs may be made by mail.

IT IS SO ORDERED.

Dated: June 27, 2011

